GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:4447
ANSWERED ON:14.12.2016
Appointment of Notaries
Rathwa Shri Ramsinh Patalyabhai

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of State and Central Notaries Licensed during the last three years under the Notaries Act, State-wise;
(b) the criteria for granting Notary Public License in the country;
(c) whether the Government has received proposals from various State Governments to enhance the number of notaries in the country;
(d) if so, the details thereof; and
(e) the action taken/being taken by the Government in this regard?

Answer

ANSWER
MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI P.P. CHAUDHARY)

(a) The Central Government does not maintain the data relating to Notaries licensed by the State Governments. However, a statement showing the Notaries Licensed by the Central Government under the Notaries Act, 1952 during the last three years is at Annexure-1.

(b) The notaries are appointed in accordance with the provisions of Notaries Act, 1952 and Notaries Rules, 1956. Rule 3 to Rule 7A of the Notaries Rules governs the criteria for appointment of notaries in the country.

(c), (d) & (e) As regards, proposal from various State Governments to enhance the number of Notaries in the country, the same have been enhanced by the Gazette Notification No.429 (E) dated 18.04.2016 which is attached herewith as Annexure-2.

Annexure-1
Number of Notaries appointed by Central Government during the last Three years

State 2014 2015 2016
Andaman & Nicobar - - -
Andhra Pradesh 79 - -
Arunachal Pradesh - - -
Assam - - -
Bihar - - -
Chandigarh - - 24
Chhattisgarh - - -
Delhi 86 1 -
Dadra & Nagar Haveli - - -
Daman & Diu - - -
Goa - - -
Gujarat 4 - 658
Himachal Pradesh - - -
Haryana 1 - 203
Jharkhand - - -
Jammu & Kashmir - - -
Kerala 2 - -
Karnataka 4 - 329
Lakshadweep - - -
Meghalaya - - -

Maharashtra 27 159 1
Manipur - - -
Mizoram - - -
Madhya Pradesh - - -
Nagaland - - -
Odisha - - -
Punjab 1 - 170
Pondicherry - 5 -
Rajasthan 1 - 600
Sikkim - - -
Tamil Nadu - 171 -
Tripura - - -
Telangana - - -
Uttar Pradesh 72 106 1
Uttarakhand 3 - -
West Bengal - - -

Annexure-2
[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY PART II, SECTION 3, SUB SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(Department of Legal Affairs)
NOTIFICATION

New Delhi, the 18th April, 2016

G.S.Râ€¦â€¦(E)-In exercise of the powers conferred by section 15 of the Notaries Act, 1952 (53 of 1952), the Central Government hereby makes the following rules further to amend the Notaries Rules, 1956, namely :-

1. (1) These rules may be called the Notaries (Amendment) Rules, 2016.
(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Notaries Rules 1956, (hereinafter referred to as the said rules), in rule 7, in sub-rule (3), after clause (e), the following proviso shall be inserted, namely:-

"Provided that in respect of categories (b) and (c), if the memorial in Form II is found to be in order, the competent authority may issue certificate of practice as Notary directly by exempting appearance before the Interview Board".

3. In the said rules, in rule 7A, after sub-rule (2) the following proviso shall be inserted, namely:-

"Provided that the appropriate Government may dispense with the condition of holding of interviews for which reasons are to be recorded in writing".

4. in rule 8, in sub-rule, (4A) after the second proviso, the following proviso shall be inserted, namely:-

"Provided also that in case, request for enhancement of quota is received from Union territory or the State concerned, the same shall be considered as per the following criteria:-

(a) if there is an increase in the population of the concerned State or the Union territory;
(b) if there is increase in the number of districts or tehsil or taluka of the concerned State or Union territory ".

5. In the said rules, in the Schedule, in column (1) :-

(i) against serial number '1' relating to 'Andhra Pradesh', in column. (2), for the figures '575', the figures '865' and in column (3), for the figures '863', the figures '1306 shall respectively be substituted;

(ii) against serial number '2' relating to 'Bihar', in column (3), for the figures '925', the figures '1925' shall be substituted;

(iii) against serial number '4' relating to Gujarat', in column (2), for the figures '1173', the figures '1760' shall be substituted;

(iv) against serial number '5' relating to 'Kerala', in column (2), for the figures '704', the figures '1000' shall be substituted;

(v) against serial number '6' relating to 'Madhya Pradesh', in column (3), for the figures '1688', the figures '2500' shall be substituted;

(vi) against serial number '7' relating to 'Tamil Nadu', in column (2), for the figures '907', the figures '1360' and in column (3), for the figures '1088', the figures '2500' shall respectively be substituted;

(vii) against serial number '8' relating to 'Maharashtra', in column (2), for the figures '2463', the figures '3700' shall be substituted;

(viii) against serial number '9' relating to 'Karnataka', in column (2), for the figures '844', the figures '1266' shall be substituted;

(ix) against serial number '12' relating to 'Rajasthan', in column (2), for the figures'1000', the figures '1500' and in column (3), for the figures '1200', the figures '2000' shall respectively be substituted;

(x) against serial number '14' relating to West Bengal, in column (3), for the figures '2625', the figures '3625' shall be substituted;

(xi) against serial number '27' relating to Chhattisgarh, in column (3), for the figures '600', the figures '1350' shall be substituted;

(xii) against serial number '29' relating to Delhi, in column (2), for the figures '610', the figures '1000' shall be substituted.

{F.No.N-15011/1/2015-NC}

(G.S.Yadav)
Joint Secretary and Legal Adviser

Note:- The principal rules were published in the Gazette of India, Part II, Section 3, Sub-section (i) vide number S.R.O. 324, dated 14.02.1956 and subsequently amended by G.S.R.370 (E), dated 08.07.1997, G.S.R.547 (E), dated 31.8.1998, G.S.R.17 (E), dated 05.01.2000, G.S.R.262 (E), dated 28.03.2000, G.S.R.630 (E), dated 21.07.2000, G.S.R.172 (E), dated 12.03.2001, G.S.R.330 (E), dated 09.05.2001, G.S.R.460 (E), dated 25.06.2001, G.S.R.467 (E), dated 09.06.2003, G.S.R.296 (E), dated 19.05.2006, G.S.R.441 (E), dated 24.07.2006, G.S.R.501 (E) dated 24.08.2006, G.S.R.73 (E), dated 09.02.2007, G.S.R.86 (E), dated 14.02.2007, G.S.R.319 (E) dated 01.05.2007 read with G.S.R.330 (E) dated 08.05.2007, G.S.R.686 (E), dated 31.10.2007, G.S.R.51 (E), dated 23.01.2008, G.S.R.636 (E), dated 03.09.2008, G.S.R.764 (E) dated 03.11.2008, G.S.R.114 (E) dated 24.02.2009, G.S.R.700 (E) dated 24.09.2009, G.S.R.843 (E) dated 25.11.2009, G.S.R. 808(E), dated 14.11.2011, G.S.R 49(E) dated 25.01.2012, G.S.R 632 (E) dated 14.08.2012, G.S.R 662 (E) dated 31.08.2012 and G.S.R 150 (E) dated 04.03.2014.